
OLR Bill Analysis

sHB 6690 (as amended by House "A")*

AN ACT CONCERNING COURT PROCEEDINGS AND THE PROTECTION OF ANIMALS.

SUMMARY:

This bill allows judges to appoint a volunteer to advocate for the best interests of an animal in a civil or criminal proceeding related to animal cruelty or fighting that affects the welfare or custody of the animal. The bill makes the agriculture commissioner responsible for maintaining a list of volunteer advocates and specifies their qualifications and responsibilities (see COMMENT).

*House Amendment "A" appears to require animal advocates to be attorneys. It also conforms certain advocate qualifications for consistency.

EFFECTIVE DATE: July 1, 2013

APPOINTMENT, QUALIFICATIONS, AND DUTIES

Under the bill, a court must appoint an animal advocate from the commissioner's list upon (1) the request of either party's attorney or (2) its own order. Animal advocates must be attorneys who are knowledgeable about the needs and protection of animals and relevant court procedures. But, the bill allows the commissioner's list to also include law school students and faculty (see COMMENT).

Animal advocates are responsible for conducting an independent investigation of the case and presenting information on the best interests of the animal to the court. Advocates may be cross-examined. As part of an investigation, advocates must consider:

1. prior arrangements made for the animal, including a trust for the care of the animal and

2. any restraining or protective order that contains a provision protecting the animal.

The bill does not address whether an animal advocate may represent more than one animal in the same proceeding.

COMMENT

Advocate Qualifications

The amendment creates a conflict by requiring advocates to be attorneys, but also allowing the commissioner's list of advocates to include law school students and faculty members. Many law school students and faculty members are not attorneys.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 38 Nay 6 (04/16/2013)

Environment Committee

Joint Favorable

Yea 19 Nay 8 (05/14/2013)